

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

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UNITED STATES OF AMERICA  
Plaintiff

3:22-cr-00054(FAB)

v

3:17-cr-00105(FAB)

CESAR NICOLAS GUERRERO-NUNEZ  
Defendant

MOTION FOR RECONSIDERATION PURSUANT TO AMENDMENT 821

HERE COMES, Cesar Nicolas Guerrero-Nunez, and files this Motion for Reconsideration pursuant to 18 U.S.C. Section 3582(c)(2), pursuant to U.S.S.G. 821. The Defendant received the Court's Order denying his motion for Amendment 821 on January 24, 2024. However, there was two denials; the first showing that the defendant accrued 15 Criminal History Points, and then received another denial showing that the defendant accrued 12 criminal History Points.

Amendment 821 Part A of the amendment reduces the number of Criminal History Points given to a defendant already under a "criminal justice sentence," including probation, parole supervised release, imprisonment, work release, or escape status. The earlier provision, Section 4A1.1(d), added to Criminal History Points if the defendant was under a criminal justice sentence when the offense was committed. Now the so-called status points provision, redesignated at Section 4A1.1(e), imposes only one additional Criminal History Point and

applies only to offenders with more serious criminal histories.

The defendant argues that if he does have 15 Criminal History Points which falls into the category of 41-51 months, and a decrease of two levels would place the Defendant at level 13 in the category of 33-41 months. However, if the Defendant is at a level 12 which falls into the category 30-37 months, a 2 level reduction will thantake him down to 24-30 months.

Defendant Respectfully prays that this Court grant his Motion for Reconsideration.

February 1, 2024

Respectfully Submitted,

CESAR GUERRERO NUNEZ  
Cesar Nicolas Guerrero-Nunez

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this forgoing instrument has been mailed with first class prepaid postage on February 1, 2024, to the Assistant United States Attorney, by hand delivering a copy of the same to prison officials at the Federal Correctional Institution Otisville mailroom for mailing throught the internal legal mail system.

Respectfully Submitted,

CESAR GUERRERO - NUNEZ  
Cesar Nicolas Guerrero-Nunez